

SAN DIEGO REGIONAL WATER QUALITY CONTROL BOARD

EXECUTIVE OFFICER'S REPORT

October 24, 2001

PART A

SAN DIEGO REGION STAFF ACTIVITIES *(Staff Contact)*

There are no items to report in Part A.

PART B

SIGNIFICANT REGIONAL WATER QUALITY ISSUES

1. **Dixon Dam Landfill – Complaint** *(Carol Tamaki and John Odermatt)*

On August 30, 2001, the Regional Board Executive Officer issued a request to the City of Escondido to provide information to the Regional Board under authority of Water Code Section 13267. The request was for a technical report including the following information:

General Site Information: Provide a description of the physical location and size of the waste management unit (WMU), proximity to water resources (surface water and groundwater), proximity of water supply wells located within one mile of the site, and any other information that is pertinent to the protection of water quality or public health and to prevent the creation of nuisance conditions.

General Site History and Operational Information: Provide a description of the time period during which wastes were deposited (discharged) at the site; the identity of all known owners/operators of the site and a chronology of their involvement with the site; a description of the landfill/disposal methods, operation, and maintenance activities; a description of the types and quantities of waste disposed of at the site; an estimate of the total volume of wastes (or reasonable estimate thereof) discharged at the site; a description of closure or post-closure activities conducted at the landfill subsequent to ceasing operations; and descriptions of present and future land use of the inactive landfill.

The technical report containing the information requested above was submitted to the Regional Board office on October 1, 2001. The Regional Board staff is currently evaluating the information provided by the City of Escondido. Staff will continue to update the Regional Board in future Executive Officer Reports.

2. **Halifax Estates – Complaint** *(Craig Carlisle and John Odermatt)*

Land Discharge Unit (LDU) staff made visual observations of soils being excavated from the development and discharged for reuse as construction fill at the Lewis Middle School.

According to anecdotal information provided by a neighbor, the area included in the Halifax Acres development project allegedly contained evidence of "solid wastes." Regional Board LDU staff visited the development and the Lewis school to make visual observations of site conditions and excavated soils. Regional Board staff did not observe evidence of solid wastes at the school site. The San Diego Unified School District (SDUSD) staff indicated they may decide to collect additional soil samples for analysis of potential environmental pollutants. The excavated soils are to be used to raise the grade of a recreational field located adjacent to the Lewis Middle School. Staff will continue to update the Regional Board as necessary in future Executive Officer Reports.

3. Otay Class III Landfill (*Brian McDaniel and John Odermatt*)

On March 30, 2000, the Regional Board received a Joint Technical Document/Report of Waste Discharge (JTD/ROWD) for the Otay Class III Landfill from Otay Landfill Inc. (OLI). The JTD/ROWD was submitted to update the existing Waste Discharge Requirements (WDR) and proposes a final design for the landfill. Ultimately, the final landfill cover is expected to extend over approximately 230 acres.

A subsequent technical report submitted by OLI identified the presence of an estimated 575 cubic yards of wastes ("soils") emitting radioactivity from isotopic sources including $^{226}\text{Radium}$, $^{238}\text{Uranium}$ and $^{232}\text{Thorium}$. The soils were determined to be present within a 6 to 18 inch layer located at a former green waste processing site (covering approximately 0.4 acres). These soils may contain radioactive pollutants which could be released at concentrations in excess of applicable water quality objectives and cause degradation of waters to the state.

Regional Board staff determined that the JTD/ROWD was incomplete based on the submitted technical report. On July 2, 2001, the Regional Board Executive Officer requested, under Water Code Section 13267, that OLI submit proposed plans for: a.) management of the radioactive wastes and b.) monitoring and reporting of analytical results for surface water (e.g., storm water discharges), groundwater resources, and landfill leachate to assess the actual or potential impacts of radioactive wastes discharged at the Otay Class III landfill. By letter dated, September 28, 2001, OLI has indicated that there has not been a final determination of the short-term or long-term management requirements by either the California Department of Health Services (DHS) Radiological Health Branch or the County Department of Environmental Health. OLI provided copies of written correspondence to the Regional Board as evidence of their efforts to resolve this matter. Because there has not been a final determination regarding management requirements of the radiological soils, OLI has indicated that it is not possible to prepare a management plan or a water quality monitoring plan. On October 15, 2001, the Regional Board issued Notice of Violation (NOV) 2001-321 to OLI for failure to provide information requested pursuant to Water Code Section 13267. The Regional Board staff plan to meet with OLI in the near future to discuss possible regulatory alternatives for resolving this issue. Staff will continue to update the Regional Board as necessary in future Executive Officer Reports.

4. San Marcos Landfill (*Carol Tamaki and John Odermatt*)

On September 26, 2001, the County of San Diego was notified that the Regional Board staff is preparing an addendum to Cease and Desist Order No. 98-39 for consideration by the Regional Board members on December 12, 2001. On October 3, 2001, the County of San Diego provided the Regional Board staff with proposed revisions to their proposed schedule for closure of the San Marcos Landfill. The revised schedule supersedes the original schedule provided to the Regional Board staff in early September 2001. On October 17, 2001, Regional Board staff met with the County to discuss the revisions to their proposed schedule to close the San Marcos Landfill. The County of San Diego staff has verbally indicated they will propose to construct an alternative to the prescriptive final cover design required by Title 27 CCR. Staff will continue to update the Regional Board in future Executive Officer Reports.

5. Burn-ash Sites (*Craig Carlisle and John Odermatt*)

Cal-EPA has convened a work group including the State Water Resources Control Board (SWRCB), Department of Toxic Substances Control (DTSC) and the Integrated Waste Management Board (CIWMB) to address various issues related to the management of wastes from burn-ash sites. Cal-EPA has compiled a list of 527 burn-ash sites statewide of which 53 sites are located within the San Diego Region. Residual wastes associated with these sites commonly contain elevated and/or hazardous concentrations of metals (*e.g.*, lead, copper, chromium, *etc.*). Depending upon the site-specific location and nature of the wastes, the threat to water quality from these sites may be significant. Staff will continue to update the Regional Board in future Executive Officer Reports.

Some recent activities by the City of San Diego and involving Regional Board staff are summarized below:

Camp Kearney Mesa/ Francis Parker School: A burn ash site is located under a portion of the Francis Parker School facility, at the former location of Camp Kearney Mesa. The City of San Diego has conducted investigations to delineate the extent of burn ash material. The ash material is mostly covered by vegetation on a slope and beneath a playing field. However some exposed burn ash is present at the surface, and subject to erosion, along a slope in areas cleared of vegetation during the investigation. The City submitted a work plan dated September 11, 2001 to implement erosion control measures and conduct regular inspections. The City is evaluating mitigation alternatives, including the possible excavation and removal of the burn material.

38th and Redwood Street: The site known as "38th and Redwood" is in the City Heights area of San Diego, in the vicinity of 38th and Redwood Streets, east of Interstates 15 and 805. During November and December 2000, the City of San Diego, with assistance from the U.S. EPA, removed approximately 2,200 tons of burn ash material from eight residential properties. The primary objective was to remove the uppermost three feet of burn material to reduce the potential for human health impacts. Some material still remains below 3 feet and beneath structures and on the adjacent Caltrans property. The City subsequently purchase two properties, is negotiating for a third. The remaining five

properties have deed restrictions. Regional Board staff is evaluating if the remaining material poses a threat to water quality. The San Diego Union-Tribune carried articles concerning activities at this site (*see attachments B-5a and b*).

38th and Quince Street: The 38th and Quince Street site is approximately 1 block south of the 38th and Redwood Street site between 38th and 39th Streets and north and south of Quince Street. The San Diego Union-Tribune has carried articles concerning activities at this site (*see attachments B-5c and d*). The City conducted preliminary sampling in May 2000 and three phases of sampling between February and June 2001 to characterize and delineate the extent of the burn material. Burn ash material was reported on approximately 13 residential properties, and the City and Caltrans right-of-ways. The City is prepared and submitted a Draft Removal Action Plan dated July 16, 2001 and is planning to remove approximately 5,000 cubic yards of burn ash material. Since the material would be classified as a hazardous waste due to the metals concentrations, the City is requesting a variance from DTSC to allow disposal in the West Miramar Landfill, pending approval from the San Diego Regional Board.

6. Former Marine Corps Recruit Depot (MCRD)/Old NTC Landfill (*Craig Carlisle*)

The inactive NTC Landfill, also known as "Old MCRD Landfill", occupies approximately 32 acres of open space west of and adjacent to Lindbergh Field. The NTC facility was closed in 1999 in accordance with the Base Closure and Realignment Act (BRAC) of 1990. The Port of San Diego (Port) received title to the land on February 23, 2001. Under the Environmental Services Cooperative Agreement between the Navy and the Port dated April 17, 2000, the Port agreed to assume responsibility for regulatory compliance. The Port is identified as the discharger responsible for compliance with waste discharge requirements issued by the Regional Board as Order 97-11. During November 2001, the Regional Board staff plans to follow-up with the Port on issues related to compliance with Order 97-11.

The Port is evaluating the possibility of using the northern portion of the site for aircraft parking associated with future airport expansion. In September 2001 the Port conducted additional testing to provide information regarding the quantity, type, and locations of waste. Based on those results, the Port will finalize their development plans for the site. In addition, the Port plans to sample the groundwater monitoring wells associated with the site during October 2001. Staff will continue to update the Regional Board in future Executive Officer Reports.

7. Box Canyon Landfill (Camp Pendleton) (*Amy Fortin, Beatrice Griffey, and John Odermatt*)

The Box Canyon Landfill is a 28-acre facility located adjacent to the Santa Margarita River at Marine Corps Base (MCB) Camp Pendleton. Remedial activity is being conducted by the Installation Restoration (IR) Program under authority of the Federal Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) *a.k.a.* "Superfund" program. The Regional Board issued waste discharge requirements (WDRs) in 1980 and 1987 for operation of the facility as a municipal solid waste landfill. In 1990, the facility was identified as a CERCLA site (IR Site 7) and further remedial

actions were deferred to the base IR Program. The Regional Board rescinded WDRs for the Box Canyon Landfill in 1997 (under Order 97-11).

In 1999, the Record of Decision (ROD) for Operable Unit (OU) No. 3 designated the Box Canyon Landfill as a corrective action management unit (CAMU) under authority of federal regulations promulgated as 40 CFR, 264.552. Land ban restrictions on discharges of hazardous wastes do not apply under the provisions of the CAMU regulations. The Department of the Navy (DoN) used the CAMU as the final repository for over 246,769 cubic yards of wastes excavated from OU#3 sites (Grease Pits: IR Sites 2A and Refuse Burning Grounds: 1A, 1E, 1F) and OU#2 sites (pesticide control wash rack, Site 3 and former DRMO Scrap Yard, Site 6) located at MCB Camp Pendleton.

The DoN prepared a feasibility study (FS), remedial design (RD) and remedial action (RA) work plans for installing a final cover for the landfill, including: 1.) a top vegetated soil layer (approximately 1 ft thick); 2.) a minimally compacted soil layer (approximately 4 ft thick); 3.); and a compacted, low permeability layer (approximately 1 ft thick). The DoN is currently constructing the final cover on the landfill. Recently the DoN installed 24-soil vapor monitoring probes to evaluate the potential for landfill gasses to migrate through the subsurface impact the nearby residential area (Wire Mountain Housing) and Santa Margarita Elementary School. Preliminary results indicate the presence of a few volatile organic compounds at a maximum concentration of 13 ppm. Staff will continue to update the Regional Board in future Executive Officer Reports.

8. Operable Unit No. 3 Sites (Camp Pendleton) (*Beatrice Griffey and John Odermatt*)

During the last quarter of 1990, the Department of the Navy (DoN), the U.S. Environmental Protection Agency (USEPA), and the State of California (Department of Health Services and the San Diego Regional Water Quality Control Board) signed a Federal Facility Agreement (FFA). The FFA is a formal agreement designed to effect a schedule for the implementation of tasks associated with environmental investigations and development of remedial actions at hazardous waste sites, and reimburse the State for costs of regulatory oversight. The Department of Defense includes the investigation and remediation of such sites in its national Installation Restoration (IR) Program.

The FFA groups sites according to perceived threat to human health, welfare and the environment; and selected cleanup alternatives. Operable Unit No. 3 (OU#3) is comprised of 28 sites, including former refuse burning grounds and grease disposal pits. In 1999, the Record of Decision for OU#3 sites identified six sites requiring remedial action (IR Sites 1A, 1D, 1E, 2A and 7). For IR Sites 1A, 1D, 1E and 2A; the ROD identifies the preferred remedial alternative as excavation and on-base disposal of wastes. The wastes were to be discharged into a corrective action management unit (CAMU per 40 CFR, Section 264.552) established at the former Box Canyon Landfill (IR Site 7). The ROD estimates that 129,000 cubic yards of wastes would be generated from remedial actions at IR Sites 1A, 1D, 1E, 1F and 2A. During the course of excavation (by November 1999) it became obvious that a significantly larger volume of wastes would be generated from the five OU#3 sites. A total of 247,000 cubic

yards of wastes were excavated from the five OU#3 sites and disposed at the CAMU. At this time, it is estimated that an additional 115,000 cubic yards of wastes remain in-situ at Sites 1A, 1D, and 1E.

By letter dated December 1, 2000, the Commanding General at Camp Pendleton communicated to the FFA parties his decision to close the CAMU (former Box Canyon Landfill) to further discharges of wastes. As a result of this decision, the DoN has verbally proposed to significantly alter the remedial alternatives selected in the ROD for OU#3 sites. The changes will likely include significant departures from the cost, scope, and performance of the preferred remedial alternatives identified in the ROD. Significant departure from selected remedial alternatives will likely require an amendment of the original ROD for OU#3 sites. Further remedial investigations may be required to collect the additional technical information required for the DoN to develop and support an amendment to the existing ROD. Currently, details regarding DoN's waste management proposal(s) are uncertain. Further, it is not clear if the DoN will be required to reassess their determination of no further remedial action at the other 22 IR sites included in OU#3. Staff will continue to update the Regional Board in future Executive Officer Reports.

9. Status of Cleanup at Brook Hills Development Centex Homes & Mr. Arthur I. Appleton (*Laurie Walsh*)

On August 17, 2001 CENTEX Homes and Appleton Brook Hills L.P. (the Petitioners) filed a petition with the SWRCB appealing the Regional Board's July 18, 2001 action on Addendum No. 2 to Cleanup and Abatement Order 2000-280 (CAO 2000-280). The petitioners are claiming that Directive No. 8 of Addendum No. 2 to CAO 2000-280 is vague and ambiguous and is not supported by substantial evidence in the record. The Petitioners further claim that "notwithstanding the deficiencies of Directive NO. 8, the petitioners have been ready, willing and able to comply with, and render performance under, Directive No. 8 but have been prohibited from doing so by the actions and non-actions by the Regional Board. The SWRCB has not yet requested the Regional Board to forward the record on this petition.



Distant view of site. All stockpiles have been removed. Green areas are bonded fiber matrix installed for erosion control.



Close up of former windrow area.



Close up of former Stockpile A area.



Lot 68. Soil from Phase II raised grade at lot about 10 feet. Material being brought in on 10/15/01 is from Lot 6 and Lot 64. The final material from Phase II was brought over on Friday 10/12/01.

Status of Compliance with CAO 2000-280, as amended:

Stockpile A, B, C and impacted sections of the windrows were removed by September 21, 2001. One odor complaint was filed with the San Diego County Air Pollution Control District during removal of Stockpiles A. ENVIRON began using odor suppressant chemicals during pile removal. No additional odor complaints were filed. Confirmation soil samples were taken beneath Stockpile A, B and C. ENVIRON reports that sample results indicate no detectable concentrations of petroleum hydrocarbons (TPH, Benzene, Toluene, Ethylbenzene, Xylene). Removal of stockpiles A, B, C and the contaminated portions of the windrows resulted in 20,337 tons of soil being transported to Candelaria Environmental Services.

Removal of the soil located in the ten windrow piles began October 1, 2001. As of October 12, 2001 all ten piles have been transported to Lot 68. No stockpiled soil remains on the Phase II property. There have been no odor complaints filed during removal of the windrows.

Field activities for the week of October 15, 2001 include cleanup at Phase II (removal of trash and final spray of bonded fiber matrix material) and raising the grade of Lot 68 with material from Lot 6, 64 and 72 of the Phase I Brook Hills Development.

10. Status of Cleanup at the Former Schutte & Koerting Inc. (Formerly Ketema Inc.) and Ametek Inc. (Laurie Walsh)

The SWRCB dismissed Schutte & Koerting's Inc. and Ametek's Inc. petition (A-1310) of the Regional Board's decision to adopt Addendum No. 3 to Cleanup and Abatement Order No. 98-11. On August 8, 2001 Schutte & Koerting Inc. and Ametek Inc. filed a petition with San Diego Superior Court concerning the Regional Board's decision to adopt Addendum No. 3 to CAO 98-11. Addendum No. 3 to CAO 98-11 (adopted June 14, 2001) requires Schutte & Koerting and Ametek to submit a work plan for cleanup of ground water contaminated with chlorinated solvent waste at their former aerospace manufacturing facility in El Cajon. David Robinson, Deputy AG is representing the Regional Board in this matter.

Status of ground water remediation:

No active ground water remediation has occurred to date. The Regional Board directed Schutte & Koerting Inc. (formerly Ketema) and Ametek Inc. (the responsible parties) to submit a work plan describing their plans to remove chlorinated solvent mass from the ground water beneath their former facility. Regional Board staff reviewed the work plan, determined it to be inadequate and issued a Notice of Violation 2000-202. NOV 2000-202 described in detail the Regional Board's rationale in determining the work plan to be inadequate. In response to Nov 2000-202 the responsible parties submitted an amended work plan. During review of the work plan amendment, Regional Board staff received a request from LFHS (council for S&K and Ametek) for a letter documenting S&K's and Ametek's full compliance with CAO 98-11, as amended. By letter dated September 21, 2001 Regional Board staff informed S&K and Ametek that they have not met the requirements, thus they are not in compliance with CAO 98-11.

11. Clean Water Act Section 401 Water Quality Certification Actions in September 2001 (Stacey Baczkowski)

DATE	APPLICANT	PROJECT TITLE	PROJECT DESCRIPTION	CERTIFICATION ACTION
9/3/01	City of San Marcos, Development Services	Las Posas Road/State Route 78 Interchange Improvement	Construction of westbound and eastbound on- and off-ramps at Las Posas Road.	Conditional
9/4/01	Commanding General MCAS Miramar AC/S Environmental Management	Homestead Dam Maintenance Project	Maintenance and upgrade of Homestead dam.	Standard
9/13/01	Richland Communities, Inc.	Lincoln Ranch Project	Development of 234 acres comprised of commercial, multi-family residential (138-198 units), single	Conditional

			family residential (443 lots) and open space (5 lots)..	
9/13/01	Rancho Bahamas Inc.	Prestigious Estates	Development of a 23-unit condominium subdivision on approximately 1.7 acres of land.	Conditional
9/13/01	Rancho California Water District	Santa Margarita Outfall Project	Install a tie-in to the Metropolitan Water District of Southern California San Diego Pipeline #5, and a new 20-inch diameter PVC pipe along an existing dirt road to end at an outfall structure near Santa Margarita River.	Conditional
9/13/01	San Diego Gas & Electric Company	Fallbrook Gas Pipeline Anomaly	Excavate a 125 foot section of a 30-inch gas pipeline for repairs.	Standard
9/20/01	Port of San Diego	Repairs to B Street Pier and the North Embarcadero Wharf	Repair of cracks, spalling, and other surficial damage to the concrete deck structures and piling, also partial demolition & replacement of these structures, including three new piles.	Conditional
9/20/01	Foss Maritime	Foss Pier Removal	Removal of pier and approximately 40 pilings.	Standard

Public notification of pending 401 Water Quality Certification applications can be found on our web site at http://www.swrcb.ca.gov/rwqcb9/Programs/Special_Programs/401_Certification/401_certification.html.

12. San Diego Municipal Storm Water Permit Update (Phil Hammer)

On August 21, 2001, each Copermittee's chief legal counsel was required to certify that the Copermittee has adequate legal authority (in the form of police powers and adopted local ordinances) to implement the San Diego Municipal Storm Water Permit (Permit). At this time, the Regional Board has received legal authority certifications from all of the Copermittees. The City of Lemon Grove was approximately six days late in submitting its legal authority certification. The City of San Marcos' legal authority certification submittal was also late, by approximately 21 days. In addition, the City of Solana Beach's original legal authority certification was inadequate, in that it did not adequately address how the city's legal authority will be implemented and enforced. Staff issued a Notice of Violation to the City of Solana Beach for its inadequate certification. The City of Solana Beach re-submitted an adequate legal authority certification and achieved compliance on October 9, 2001.

Staff has been working closely with the Copermittees to finalize their monitoring plan for 2001-2002. This wet weather season, the Copermittees will be monitoring for mass loading of pollutants, as well as toxicity, in each of the 12 major watersheds within San Diego County. The Copermittees will also be conducting bioassessment at 23 stream

locations throughout the county in order to measure the streams' biological and physical integrity. Monitoring for bacteria will also be conducted at many coastal storm drains through both the dry and wet weather seasons. In addition, this year the Copermittees will be developing programs for future monitoring of ambient water quality and toxic hot spots.

The City of San Marcos has recently written a letter to the State Water Resources Control Board in support of the Building Industry Association's petition of the San Diego Municipal Storm Water Permit. A copy of this letter is attached (B-12).

13. Update on Trash in Chollas and Paleta Creeks (*Phil Hammer*)

The last Executive Officer report included a discussion of the trash problem in Chollas and Paleta Creeks. To address this problem, Regional Board staff has corresponded with the City of San Diego and the City of National City regarding contributions of trash to the creeks from their storm water conveyance systems. In two letters, Regional Board staff directed the City of San Diego and the City of National City to submit reports covering how the cities plan to address the Chollas and Paleta Creek trash problem at present and in the future. These Regional Board letters were sent under the authority of the San Diego Municipal Storm Water Permit (Order No. 2001-01), which requires cities to develop and implement additional best management practices (BMPs) in the event that storm water conveyance system discharges are found to cause or contribute to an exceedance of water quality standards. Reports covering how the cities plan to address trash in Chollas and Paleta Creeks are due to the Regional Board on October 19, 2001. Staff will provide an update on these reports in the next Executive Officer's Report.

14. Public Meeting on Tentative Order 2001-193: The Proposed Orange County Storm Water Permit (*Dave Gibson*)

On the evening of October 16, staff participated in a 2-hour public meeting on Tentative Order 2001-193 in the City of San Clemente. Approximately 70 people, mostly residents of San Clemente, attended the meeting. The City of San Clemente and Surfrider Foundation sponsored the event. A panel consisting of Dave Gibson (SDRWQCB), Marco Gonzalez (Surfrider Foundation), Christopher Crompton (County of Orange), and the Tom Bonigut (City of San Clemente) discussed their perspectives of the Tentative Order. SDRWQCB staff presented a discussion of the history, basic requirements, and common misunderstandings of Tentative Order 2001-193. The representatives of the County and City expressed concerns regarding the implementation, costs, and the prescriptive nature of the draft permit, which were similar to those expressed by each in their written comments on the Tentative Order. The Surfrider representative discussed their experience with Order No. 2001-01 and its implementation by the cities in San Diego County. The public attendees were provided with approximately 70 minutes to ask questions of the panel. Approximately 18 primary questions were asked, with many follow-up questions, regarding the following topics: Common Interest Areas and Home Owners Associations (3 questions), current impaired waters (2), enforcement (2), adequacy of DAMP (2), third parties (2), public education (1), compliance standard (1),

conditions for new major highways (1), pet waste responsibility (1), adoption schedule (1), technical guidance from RWQCB (1), and importance of street sweeping (1).

15. Status of Tentative Order 2001-193: Orange County Municipal Storm Water Permit
(Dave Gibson)

The written comment period for Tentative Order 2001-193 was closed on August 30, 2001. Comments were received from 30 parties, including the 13 Copermittees, other agencies, organizations, and individuals. Approximately 684 specific comments were received in writing and during the two workshops held in July and August. The major issues of concern identified by the Copermittees can be summarized as follows: 1) The prescriptive nature, the structure, and the cost of implementation of the Tentative Order; 2) the prohibitions against illicit discharges and exceedances of receiving water quality objectives; 3) exceedances by the SDRWQCB of its legal authority; 4) vulnerability of the Copermittees to third party lawsuits and enforcement action; 5) the Drainage Area Management Plan (DAMP); and 6) the Standard Urban Stormwater Mitigation Plans (SUSMPs). The responses to the comments drafted by staff are currently being reviewed by senior staff and will be made available to the public prior to the scheduled hearing on the Tentative Order. The public hearing is scheduled for the November 14, 2001 Board Meeting in Laguna Niguel. Staff is preparing an agenda package and expects to recommend adoption of Tentative Order 2001-193 at the November 14, 2001 Board Meeting.

16. El Morro Trailer Park at Crystal Cove State Park, Orange County (Victor Vasquez)

In the January 2001 Executive Officer's Report, staff reported on the regulatory status of wastewater treatment facilities at El Morro Trailer Park (EMTP) with regards to the Regional Board. While the mobile home park has existed for more than 30 years, the discharge has not been regulated by the Regional Board, and, in December 2000, staff began the initial process of regulating the discharge through State Waste Discharge Requirements.

The trailer park consists of 295 mobile home units located on both sides of Pacific Coast Highway within Crystal Cove State Park just north of Laguna Beach and adjacent to the northernmost boundary of our region. EMTP is on land leased to El Morro Village, Inc (EMVI) from the California Department of Parks and Recreation (DPR). The trailer park's lease will expire in three years. DPR has developed plans to convert the site for public use as part of the State Park following the expiration of the lease. Currently, however, concerns have been raised that the wastewater discharged from the septic tank and leachfield at EMTP may possibly be adversely affecting water quality in Moro Canyon Creek, which runs through the trailer park, and may possibly continue to do so until the trailer park ceases operation.

After meeting with representatives of EMVI and DPR in February 2001, a letter requesting a Report of Waste Discharge (RWD) was sent to initiate the permitting process for the EMTP waste discharge, pursuant to CWC Section 13260. The request named both DPR and the operator of EMTP as responsible parties. The request required

a hydrogeologic study in order to conclusively determine: 1) if Moro Canyon Creek is being impacted, 2) if groundwater objectives are satisfied, 3) if the disposal area has capacity to receive continued discharge, and 4) what modifications to the treatment and disposal facilities are necessary. The deadline for submitting the RWD was August 15, 2001.

In August, EMVI representatives submitted a technical report that was not a complete Report of Waste Discharge. Also, in August, DPR submitted a separate technical report that included DPR's proposal for modifications to the existing treatment facilities; this report also did not constitute a complete Report of Waste Discharge. Subsequently, on September 4, 2001, staff issued a Notice of Violation to the responsible parties for failure to submit the RWD.

In a meeting with staff on September 7, 2001, DPR agreed to conduct and fund a hydrogeologic study, and EMVI concurred. At two subsequent meetings, DPR provided draft work plans which detailed the scope and logistics of the hydrogeologic study. Staff will provide comments to DPR. On a related note, DPR has informed staff that DPR is the responsible party for all regulatory issues related to the wastewater discharge at EMTP.

PART C

STATEWIDE ISSUES OF IMPORTANCE TO THE SAN DIEGO REGION

There are no items to report in Part C.